UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/1995/6
7 June 1995

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLES 16 AND 17 OF THE COVENANT

Concluding observations of the Committee on Economic,
Social and Cultural Rights

SURINAME

1. The consideration of the initial report of Suriname concerning the rights covered by articles 1 to 15 of the Covenant (E/199/5/Add.20), which had been initiated by the Committee during its 11th session in November 1994, was resumed at the 13th, 15th and 16th meetings on 9 and 10 May 1995 in view of the fact that it had not been possible to fully clarify a number of serious concerns about the implementation of the Covenant at the previous session. Having considered the report of Suriname, the Committee adopted* the following concluding observations.

A. Introduction

2. The Committee expresses its appreciation for the initial report, which was largely drafted in accordance with the Committee's guidelines, and the supplementary information provided orally by the delegation representing the State party during the consideration of the report. The Committee welcomes the dialogue established between it and the State party, which although realized after some delay, it considers to have been frank and highly constructive in enabling the Committee to gain a clear understanding of the extent of the State party's compliance with the International Covenant on Economic, Social and Cultural Rights. At the same time, the Committee regrets it did not receive the replies to the questions contained in its List of Issues in writing. It further notes that some of these questions remained unanswered.

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* At the 27th meeting (twelfth session), held on 18 May 1995.

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B. Positive Aspects

3. The Committee welcomes the signing of the 1992 Peace Accord, which ended the armed conflict in the interior region of the State party, and the subsequent disarming of the paramilitary groups involved in the conflict.

4. The Committee welcomes the special consideration accorded to human rights within the Constitution of Suriname and the accession by the State party to a number of international human rights instruments. In this connection, it takes note of the economic, social and cultural rights enumerated in Chapter 6 of the Constitution.

5. The Committee welcomes the establishment of the National Institution for Human Rights, which is authorized, inter alia, to draft and submit reports to the various international monitoring bodies, study international standards and legislation, promote international cooperation, and investigate complaints of alleged violations in the area of civil and political rights. The Committee also welcomes the establishment of the National Women's Bureau within the Ministry of Internal Affairs to promote the human rights of women.

6. The Committee welcomes the Government's active efforts to reconstruct and further develop the national economy, including the Structural Adjustment Programme that is being implemented since 1993. It notes with appreciation that the Programme contains a social safety component developed to protect the most economically vulnerable groups.

C. Factors and difficulties affecting the implementation of the Covenant

7. The Committee notes with deep concern the economic crisis faced by the State party due in part to the deterioration of the terms of trade for its principal export, bauxite, and the ensuing phenomena of inflation and recession. The Committee is concerned that the prolonged economic crisis has given rise to high levels of structural unemployment and is limiting the Government's ability to implement programmes that ensure the promotion and protection of the economic, social and cultural rights in the State party, especially its ability to fully implement those provisions of the Peace Accord concerning the development of the interior of the country. The Committee acknowledges that such financial constraints may create difficulties with respect to the consolidation of democracy following the signing of the 1992 Peace Accord. The Committee notes that some important external assistance, such as vaccination services from PAHO/WHO, have been suspended due to the State party's inability to pay its contributions to international organizations that provide such services.

8. The Committee notes with concern that women in Suriname still do not fully enjoy their economic, social and cultural rights, due in part to traditional customs and attitudes toward women. This situation manifests itself, among other ways, in the form of violence against women and discrimination in employment.

9. The Committee is further concerned about the Government's inability to collect relevant data on the level of enjoyment of economic, social and cultural rights in the State party. In this regard, the Committee regrets the lack of

statistics on the standards of living enjoyed by various sectors and especially the most vulnerable groups identified by the Government in its report, the lack of information on working or abandoned children and homeless persons, and the lack of information on the nature and volume of activity in the informal sector.

D. Principal subjects of concern

10. The Committee notes with concern the inconsistent protection of the rights of workers, depending on their membership in trade unions. It notes in this regard that workers who are not covered by collecti e bargaining agremeents are not guaranteed a minimum wage, are not covered by occupational safety clauses and receive little or no protection in the event of illness. In the case of women workers, the Committee notes that women who are not members of trade unions receive little or no maternity benefits and may be dismissed if they become pregnant. The Committee is further concerned about the inadequate protection of immigrant workers.

11. The Committee notes the inconsistency in the fact that while young persons in Suriname attain majority at the age of 21, men can marry from the age of 15 and women from the age of 13. The Committee notes with concern that the difference in the marriageable ages for men and women does not appear to conform with the provisions of articles 2 and 10 of the Covenant, nor does it appear to be compatible with articles 2 and 3 of the Convention on the Rights of the Child to which Suriname is also a state party. Moreover, the Committee expresses its deep concern about the possibility under Suriname law that a marriage partner can be appointed without his or her consent, which in general appears to disadvantageously affect women more often than men.

12. The Committee is concerned that social assistance to the poor (FB) is administered on a discretionary basis and hence opens the possibility of unequal protection of the poor. Moreover, the Committee is concerned that even provided with social assistance, many disadvantaged persons receive inadequate amounts of assistance or, when their incomes fall slightly above the official subsistence minimum, do not receive any assistance at all from the FB programmes. The Committee considers that the subsistence minimum requires revision and that, as it presently stands, it excludes many persons genuinely in need of assistance.

13. The Committee notes with concern the inadequacy of housing available in Suriname, especially in the interior where many internally displaced persons are situated. It notes with concern the Government's inability to implement its housing policy for the poorest sectors.

14. The Committee views with grave concern the problem of malnourishment of children in Suriname, which has been aggravated by the economic crisis. It is also concerned about the high mortality rates among children in the refugee camps and the inadequate education provided to these children. It further notes with concern the declining levels of vaccination coverage among the population.

15. With respect to education, the Committee notes that education is provided only in Dutch, the official language of Suriname. It regrets that no efforts are being made by the Government to promote the use of Sranan Tongo, which is spoken by most Surinamese, or to preserve the native languages of the various indigenous

groups. The Committee is further concerned that education provided in Dutch only may serve as a contributing factor to the high incidence of school drop-outs.

E. Suggestions and recommendations

16. The Committee recommends that the Government initiate programmes to educate the public so that traditional customs and attitudes that are discriminatory towards women be gradually modified and abolished. At the same time, the Committee urges the Government to ensure that all legislation be applied in a non-discriminatory manner and that laws which clearly discriminate against women be abolished. It particularly recommends that the laws permitting persons to marry without the acknowledgement or consent of the partner be abolished, that the problem of violence against women be legally addressed, and that general legislation regarding maternal benefits be enacted and enforced.

17. The Committee recommends that legislation be enacted to protect workers who are not covered by collective bargaining agreements, in order to ensure them a minimum wage, health and maternal benefits, safe working conditions, and other guarantees that meet international standards for conditions of work. In this connection, the Committee recommends that assistance from the International Labour Organization be sought. Further, the Committee encourages the Government to extend such protection also to immigrant workers.

18. The Committee recommends that the Government seek assistance as to the collection of data and compilation of statistics regarding the level of enjoyment of economic, social and cultural rights. It recommends that information be collected on an ongoing basis regarding working or abandoned children, homeless persons, and the most vulnerable groups identified by the Government in its report and suggests that the National Institution for Human Rights be specially mandated to undertake research on this topic as well as on the realization of economic, social and cultural rights in Suriname in general. In this connection, the Committee recommends that assistance be sought from the technical cooperation services of the Centre for Human Rights.

19. The Committee recommends that definite criteria be established for the administration of social assistance for the poor (FB) so as to protect the lowest income groups. The Committee further recommends that the Government undertake a redefinition of the official subsistence minimum so that all disadvantaged persons genuinely in need receive an adequate level of assistance.

20. The Committee recommends that the Government seek international assistance with regard to the problem of malnutrition and declining vaccination coverage among the population.

21. The Committee recommends that the Plan of Action in favor of the population in the interior of the country that is provided for in the 1992 Peace Accord be implemented to the best of the Government's ability. In particular, the Committee recommends that special attention be given to laying an infrastructure and providing basic facilities in the interior, particularly houses for persons displaced during the recent internal armed conflict.

22. With respect to education, the Committee recommends that the Government consider promoting the use of Sranan Tongo in schools and elsewhere and make efforts to preserve the native languages of indigenous groups. It further recommends that the Government undertake investigations into the phenomenon of school drop-outs.

23. The Committee recommends that information be collected on the nature and volume of activity in the informal sector, which may prove to be an important factor in the Government's efforts to revive the national economy. Assistance may be sought in this regard from international agencies, including the UN Development Programme, the World Bank, the Inter-American Development Bank, and other organizations involved in this area.

24. The Committee looks forward to receiving a more comprehensive second periodic report from the State party, updating the report itself and including also detailed information and relevant statistics on the questions raised but not fully addressed during the present session.